

IN THE SENATE OF THE UNITED STATES.

APRIL 12, 1860.—Ordered to be printed.

Mr. HALE made the following

REPORT.

[To accompany bill H. R. 267.]

*The Committee on Naval Affairs, to whom was referred the petition of Ann W. Angus, widow of Samuel Angus, late a captain in the navy, and the bill H. R. 267 for her relief, have had the same under consideration, and report:*

The petitioner alleges that her husband was dismissed from the service for an act committed while insane from the effects of a wound on his head, which he received while fighting the battles of his country, and asks that her family may be allowed the pay which her husband would have received if he had not been dismissed, and that her name may be placed on the pension list with those widows whose husbands have died in service of wounds received while in the discharge of their duty.

The facts of this case appear to have been fully investigated upon an application for a pension in the House of Representatives at the 1st session of the 29th Congress and 1st session 30th Congress, and reports made by the Committee on Naval Affairs, upon which petitioner's first five years' pension was obtained, and subsequently renewed, from which reports your committee beg leave to quote the following:

The House Committee, in their report of August 10, 1846, say:

"That, from an examination of all the papers in this case, it appears that the claimant is the widow of Captain Samuel Angus, formerly of the navy of the United States, and that she asks a pension on account of the services of her husband, whose death was occasioned from wounds received in the service while fighting the battles of his country. The papers show that Captain Angus entered the service at the age of fifteen, in the year 1799, and remained in the service until the latter part of Mr. Monroe's administration, when he was dismissed, without a trial by court-martial, for writing a letter to the Secretary of the Navy which was not considered respectful. It also appears that at the time of writing the letter, he was laboring under temporary insanity. President Monroe afterwards recommended his successor, Mr. Adams, to reinstate him, saying, in his letter, 'it comports with justice, as well as humanity to reinstate Captain Angus.'

“He was not, however, reinstated, but was allowed a pension, which continued to his death, on the 29th May, 1840. During the whole period that Captain Angus was in service, up to the time of writing the letter above-mentioned, he sustained the character of a brave and meritorious officer. He was wounded in four separate engagements with the enemy, and two of those wounds were upon the head. The evidence is satisfactory to the committee that his fits of insanity were occasioned by those wounds, and that they hastened his death. These wounds were also the occasion of his being a severe sufferer, and of great affliction to his family for many years. During this time he was also unable to make any provision for them, and in consequence left a widow and six children in destitute circumstances, appealing strongly to the justice of the nation to wipe away the stain unintentionally cast upon the character of an officer who had adorned his country's service.

“The committee deem it proper to state that this claim was presented to Congress in 1843. That the committee of the Senate reported in its favor, and passed a bill; which bill was reported unfavorably by the committee of the House. The claim is now supported by additional testimony, which, it is believed, would have removed the objection of the committee of the House of that year, had it been before them.

“The committee consider this case embraced within the spirit and principle of the pension laws, and that the widow and children of this brave and meritorious officer are as much entitled to aid as though he had been killed while fighting the battles of his country.

“The committee, in their report of the 12th January, 1848, reiterate the above statement substantially, and add: ‘From the facts in this case, it seems to come within the principle on which the pension laws are based. Captain Angus was disabled, by his services to the country and especially by his extraordinary sufferings, from making any adequate provision for his family; and they have been left, substantially, as if he had been cut down by death, instead of insanity, whilst fighting for his country.

“‘The committee are, therefore, of opinion that Mrs. Angus is rightfully entitled to the aid of the country.’”

The Senate Committee on Pensions, in their report upon the foregoing facts, at the first session of the Thirty-third Congress, conclude as follows:

“From the state of facts thus presented, your committee are of opinion that Mrs. Angus is, in strict justice, entitled to all the benefits the pension laws would have conferred upon her, as the widow of Captain Angus, had her husband not been dismissed the service. It appears clear that Captain Angus's insanity, which led to his dismissal from the service, and disabled him from any occupation for life, resulted from wounds received in the line of his duty, which wounds ultimately produced his death. Therefore nothing but the insane act for which he was not responsible, and which led to his dismissal, has prevented his widow from claiming relief under the general statutes. It has been the custom of Congress from time to time to renew and extend for a further term all the pensions granted by existing statutes for five years. This has been done so as to continue, from the date of the allowance of such pensions under general laws, all of them so granted,

from year to year since 1819; and the act of February 3, 1853, forms the single exception to this rule, in omitting to mention the widows and orphans of the naval service, while providing for a further five years' pension to those of the army.

"In view of all the facts presented in this case, your committee are inclined to the opinion that so much of Mrs. Angus's petition as relates to a further extension of her half pay for five years, is entitled to the favorable consideration of Congress, and they therefore report a bill to that effect, and place her on the same footing as though her husband had actually died in the service."

Captain Angus having received a pension during his lifetime, on account of his wounds, your committee do not deem it proper that his widow should receive from the date of his dismissal to the time of his death, the pay that he would have received had he remained in the navy; but concurring fully in the conclusions of the Committee on Pensions, as above recited, that the petitioner should be placed "on the same footing as though her husband had actually died in the service," beg leave to report the bill (H. R. 267) for her relief, and recommend its passage.

